

CITY OF ROELAND PARK, KANSAS
CITY COUNCIL MEETING MINUTES
Roeland Park City Hall
4600 W 51st Street, Roeland Park, KS 66205
Monday, June 7, 2021 6:00 P.M.

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| <ul style="list-style-type: none">○ Mike Kelly, Mayor○ Trisha Brauer, Council Member○ Benjamin Dickens, Council Member○ Jan Faidley, Council Member○ Jennifer Hill, Council Member | <ul style="list-style-type: none">○ Jim Kelly, Council Member○ Tom Madigan, Council Member○ Claudia McCormack, Council Member○ Michael Rebne, Council Member | <ul style="list-style-type: none">○ Keith Moody, City Administrator○ Erin Winn, Asst. City Administrator○ Kelley Nielsen, City Clerk○ John Morris, Police Chief○ Donnie Scharff, Public Works Director |
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Admin
Brauer
Hill

Finance
McCormack
Madigan

Safety
Rebne
Faidley

Public Works
Kelly
Dickens

(Roeland Park Council Meeting Called to Order at 6:00 p.m.)

Pledge of Allegiance

Mayor Kelly called the City Council meeting to order and led everyone in the Pledge of Allegiance.

Roll Call

City Clerk Nielsen called the roll. CMBR Rebne was absent. Staff members present were City Administrator Moody, Assistant City Administrator Winn, City Attorney Mauer, Public Works Director Scharff, Police Chief Morris, City Clerk Nielsen, Management Intern Verbrugge, and Parks and Recreation Superintendent Nichols.

Modification of Agenda

There were no modifications to the agenda.

I. Citizen Comments

No public comments were made.

II. Consent Agenda

- A. Appropriations Ordinance #975**
- B. Council Minutes May 17, 2021**

MOTION: CMBR HILL MOVED AND CMBR BRAUER SECONDED TO APPROVE THE CONSENT AGENDA AS PRESENTED. (THE MOTION CARRIED 7-0)

III. Business from the Floor - Proclamations/Applications/Presentations

- A. Legislative Update from Senator Ethan Corson**

Mayor Kelly welcomed State Senator Ethan Corson and expressed his gratitude for the hard work he does for District 7 in Topeka.

Senator Corson said he was appreciative of the hard work Mayor Kelly, the Council and City administration are doing to make Roeland Park such a wonderful place. One observation he has made that most surprised him in Topeka was how little respect there is for local control and home rule among members of the legislature. He consistently saw legislatures inserting themselves into issues that should be the province of a city, the county, education and school boards. He said the legislature should be a place where they are allowed to do the job they were elected to do. He recognized that local leaders are listening and coming up with ideas so that northeast Johnson County is a great place to live and reiterated that his job is as an advocate for the cities in his district.

The senator spoke specifically about legislation that directly affects Roeland Park. He started with Senate Bill 13 that focused on property tax reform. The bill eliminates the tax lid, establishes notice and public hearing requirements for cities that want to take in more revenue than they did in the previous year, and it prohibits an increase in appraised value of property solely because of normal repair, replacement, or maintenance to any existing structure. The bill also allows for county treasurers to accept partial payment of property taxes and have the ability to establish payment. Senator Corson said he remains concerned about the burdensome notice requirements in the law and still believes it infringes on local control.

Senate Bill 24 was promoted as dealing with energy choice. It was pushed by natural gas companies across states all over the country. It prohibits a municipality of making any rule that limits the use of natural gas. Senator Corson said this is a direct attack on local control and voted against this bill adding that this is a decision that should be left to individual municipalities.

House Bill 2429 established the city utility low-interest loan program that would allow cities to apply for loans from a \$100 million fund set up to aid cities hit by extraordinarily high electric and natural gas costs as a result of the February weather event. The bill gives cities up to ten years to repay those loans.

Senate Bill 87 is likely to resurface at their next session. It discusses the distribution to cities taxes generated from county general sales and use taxes. In 2020, Roeland Park received about \$633,000 as its share of that distribution. The bill would allow counties not to use the apportionment formula that has been in place since 1978 and would allow for a county-wide sales that would not be shared with its cities. Senator Corson view this as a bad idea especially for smaller cities like Roeland Park. He noted that the current arrangement is working and has been working. The premise for the bill is based on one city and one county in the state that cannot come to terms. The senator is on the Senate Tax Committee and expects a version of this bill to be brought up again next session.

They also dealt with a version of the Health Club bill that anytime a government entity operates a non-profit that competes with a for-profit business, then the for-profit should not have to pay property taxes to the government that it is competing with. This policy would definitely affect city budget and could result in decreased services while increasing residential property taxes to recoup those losses.

Mayor Kelly thanked Senator Corson for all the detailed information. He noted that the City is a commercial landlord and given the broad nature of the bill, he asked if all commercial real estate would be subject to exemption. Senator Corson said as presented it would be. There has been a request for an audit of what the effects of the bill would be, but he does see it as problematic.

CMBR Faidley said she is concerned about the decision not to extend the eviction moratorium. Senator Corson said they have a program at the state level. He will email Mr. Moody with the details of the program. He said it is not a perfect solution but wants to make sure they have that information.

CMBR Faidley also asked when they would be seeing the ARPA (American Rescue Plan Act) funds. Senator Corson was unsure and said that is subject to federal disbursement.

City Administrator Moody asked the senator to provide background information on what motivated the introduction of the bill change related to the county sales tax not being shared with municipalities. He wanted to know what the thought process was for that motivation. Senator Corson said there is a dispute in one particular county and one of its particular cities. He personally felt it was best to try to help them resolve their issue and not disrupt 104 other counties where the tax apportionment has been working since 1978. He said he does not understand that logic.

CMBR Madigan thanked Senator Corson for the job he is doing and appreciates what he does.

Mayor Kelly thanked him for S.B. 159 that provides more funding for the judiciary in the state. Corson said they were able to raise funding for judicial staff and judges but was unable to get what he advocated for which was a 2½ percent increase for all state employees. He said they have not had a raise in a number of years. That is one of his priorities for next year's budget and felt they needed to show the employees the respect they deserve.

Mayor Kelly also thanked the senator for his support of the expansion of Medicaid in the state.

IV. Mayor's Report

A. Pride Month Proclamation

CMBR Dickens said that June is pride month for the LGBTQ community and they have worked very hard to get this far. He said there is a lot to celebrate but it is so much more than one month of celebration. He said it began with an activism against hate of innocent people. CMBR Dickens said they need to continue that activism throughout the year. He also thanked Mayor Kelly for the opportunity to speak and encouraged everyone to help the people that need you.

MOTION: CMBR DICKENS MOVED AND CMBR MADIGAN SECONDED TO DECLARE JUNE 2021 AS PRIDE MONTH IN ROELAND PARK. (MOTION CARRIED 7-0)

B. National Gun Violence Awareness Day

Mayor Kelly noted that June 4th was National Gun Violence Awareness Day and offered the proclamation retroactively. He said that every day and always they should be advocating for gun violence awareness, safety, and common sense. He also thanked CMBR Faidley for continuing to bring this to their attention.

MOTION: CMBR FAIDLEY MOVED AND CMBR HILL SECONDED TO DECLARE JUNE 4, 2021, AS NATIONAL GUN VIOLENCE AWARENESS DAY IN THE CITY OF ROELAND PARK (MOTION CARRIED 7-0)

V. Reports of City Liaisons and Committees

A. MARC - Bike & Pedestrian (Jan Faidley)

CMBR Faidley said the summary of their meeting last is attached to the agenda packet. Two priorities identified were urban forestry and the restoration of riparian habitat (streams).

B. Community Engagement Update - Melissa Dobbin

Melissa Dobbin from the Community Engagement Committee said they are starting to plan for fall events. They hope to have a gathering of sorts with a band and food trucks. The event will be geared to make everyone feel welcome.

The committee is also wanting to restore the scavenger hunt. The design is to get people to go to different areas in the City that they would not necessarily go to in their daily life.

She said they still have giveaways for kids, but they are also working on some for adults.

Mayor Kelly said he appreciates the work she and the committee are doing and is looking forward to getting back to City celebrations in the near future.

CMBR Faidley said she really appreciates the work that has gone into the selection of the street banners.

Ms. Dobbin said the minutes are the wrong attachment and City Administrator Moody said they will be removed from the packet.

VI. Unfinished Business

A. Update on the Pool

Mayor Kelly said he has been pleased with the feedback he has been receiving about the pool. He thanked Mr. Nichols for the work that he has done.

Mr. Nichols said that recruitment is ongoing. They trained three people last week and have more applicants to review. Their current lifeguard count is 20. If they can reach 25, the pool can open on Fridays. With 30 guards, they can open for a full schedule. Swim team practice has begun and they will have their first meet soon. Swim lessons are not open as they still do not have adequate staffing. Everything is ready and will be published for the public once they have the staff.

He said there have been some issues in the concession area with equipment and the credit card reader not working.

Mr. Nichols also provided a weekly revenue and attendance report that breaks down attendance to date. He said that Saturday the place was packed.

CMBR Hill asked how residents get their pool cards if they purchased them online. Mr. Nichols said those cards are ready at the front desk.

VII. New Business

A. Direction from Council on June 28 Community Forum Being in Person

Mayor Kelly said that community forums have traditionally been held in the Community Center in the multi-purpose room and very well-attended. His preference would be to offer the hybrid option.

MOTION: CMBR MADIGAN MOVED AND CMBR DICKENS SECONDED TO APPROVE HOLDING THE COMMUNITY FORUM IN PERSON WITH A HYBRID VIRTUAL OPTION. (THE MOTION CARRIED 7-0.)

B. Approve Interlocal Agreement for Design of 2022 CARS Project with City of Mission

Public Works Director Scharff said the design is for one project on Johnson Drive and reflects a high-priority sidewalk from the west side of the hospital to Pride Cleaners. They want to get this design approved early to allow them to get easements in time for construction. The City's portion is \$44,130 for the design.

CMBR Kelly asked they Roeland Park is paying 66 percent and Mission is paying 34 percent. Public Works Director Scharff said Roeland Park will be adding a sidewalk with ADA standards. Mission has already completed their survey and so they do not need as large of a survey. Roeland Park has 13 easements they need to acquire compared to 4 in Mission.

MOTION: CMBR HILL MOVED AND CMBR FAIDLEY SECONDED TO APPROVE THE INTERLOCAL AGREEMENT WITH THE CITY OF MISSION FOR DESIGN OF THE 2022 CARS PROJECT. (MOTION CARRIED 7-0)

VIII. Ordinances and Resolutions

A. Discuss Amending Resolution Concerning COVID Best Practices

Mayor Kelly said they agreed to discuss at each Council meeting COVID practices to make certain they have the best recommendations based on the current data. They do rely on data that is made available to them from the county, state, and government levels. Mayor Kelly said that positive cases are down and they continue to see that trend moving in the right direction regarding COVID-19 cases in Johnson County. CDC guidance has said that masks need not be required by those who have been vaccinated. The City is not requiring masks be worn indoors but are strongly recommending it at this time. The county has the same recommendations for indoors.

CMBR Madigan would like to see them no longer make a recommendation for vaccinated persons to wear a mask.

CMBR Dickens wanted to hear from educators about their concerns and also parents with children who cannot be vaccinated.

CMBR Hill said it has always been their job as Councilmembers to teach and lead and she would recommend a mask at this point.

CMBR Faidley questioned if they adopt something different, she would like legal advice.

City Attorney Mauer said whether they adopt something or not it is still a recommendation. The county is not requiring a mask so the City's decision will not matter legally.

City Administrator Moody said staff takes the strong recommendation of leading by example and they continue to wear face coverings.

CMBR Kelly said in the last several weeks he primarily sees masks in Johnson County. Going outside of the area in the state and elsewhere things have been opening up.

CMBR Faidley asked if it is enough of a motivation to continue to wear a mask to protect others that are not vaccinated.

Mayor Kelly said in an outward capacity he still wears a mask because he has children who cannot get vaccinated. If he is around people he knows are vaccinated, then he will take off the mask. If the staff are around one another and are vaccinated, then they can decide for themselves. Mayor Kelly did say that in an outward facing situation, he would still recommend wearing a mask.

MOTION: CMBR MADIGAN MOVED THAT FULLY-VACCINATED INDIVIDUALS ARE NOT REQUIRED TO WEAR A MASK INSIDE. (MOTION FAILED FOR LACK OF A SECOND.)

B. Ordinance #1012 Amending Sunday Liquor Sales Times

CMBR Faidley wanted to thank the liquor store in Roeland Park for contacting her. She said they are looking forward to getting in line with state statute.

MOTION: CMBR DICKENS MOVED AND CMBR HILL SECONDED TO ALLOW SUNDAY LIQUOR SALES TO BEGIN AT 9:00 A.M. (MOTION CARRIED 7-0)

IX. Reports of City Officials

A. COVID Report

Chris Verbrugge, the City's Management intern said at the end of May the Pfizer shot was approved for those 12 years of age and older. He noted that Johnson County Department of Health and Environment has adopted the guidance by the CDC that two weeks after the final shot an individual can be considered as fully-vaccinated. Governor Kelly has also announced the state agency reopening guidance will begin June 13th for state offices.

Ten heads of the metropolitan area's health departments signed a joint letter in March supporting the Johnson County schools' decision to require masks throughout the end of the school year.

It was reiterated that as one is going through the vaccination process to continue wearing a mask and practice social distancing as they are the best way ways to prevent the spread of the coronavirus.

Over 51 percent of those 12 and older in Johnson County have received their first vaccination dose.

B. City Administrator's Report

City Administrator Moody said they have gotten most of the landscaping completed along Roe Boulevard. The bulbs will be planted in the fall. Paving has started on the north section of Roe Boulevard north of 47th Street and should be finished up this week. They will also start milling at City Hall in preparation for the parking lot improvements. There will also be a sidewalk extension with an

ADA improvement connecting the building to the street. The solar shelter/carport structure will begin soon and is expected to take two weeks. Parking will be limited.

CMBR Faidley asked if the native plantings in the medians are mulched or will be mulched. Public Works Scharff said they have used a finer mulch so it may not be as easy to see.

CMBR Faidley asked for an update on the signs at the south end of Roe. City Administrator Moody said they bases are in for the southernmost signs. The concrete bases are done and need to cure. Granite will be put on followed by the lighting. They also need to install the conduit that provides the power to the signs.

C. Police Chief's Report

Chief Morris said he is working with Katie Garcia, the City's PIO, to put together some firework safety videos.

D. Assistant City Administrator's Report


Ms. Winn said the Racial Equity Committee is wanting to put together a panel that consists of community members, staff, and elected officials to do an 8 to 9-month assessment of next steps. The panel is expected to meet monthly during the workday from September to March. She said they wanted to make certain they get a representative group to be able to take advantage of this opportunity.

CMBR Hill recommended that they broadcast their meetings with closed-captioning. She worked with City Clerk Nielsen and Mr. Verbrugge on how that is set up in the school system. And Ms. Hill said she is appreciative and thankful that that is now up and running.

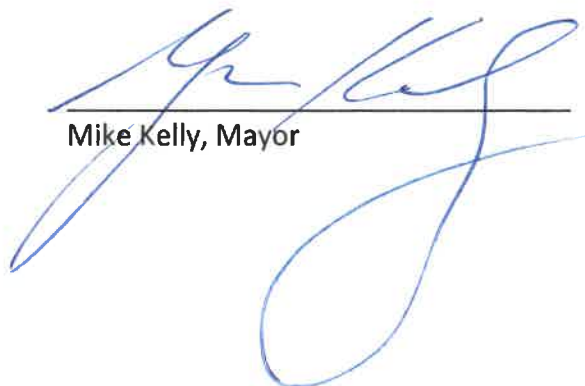
Adjourn:

MOTION: CMBR HILL MOVED AND CMBR KELLY SECONDED TO ADJOURN. (MOTION CARRIED 7-0)

(Roeland Park City Council Meeting Adjourned at 7:02 p.m.)



Kelley Nielsen, City Clerk



Mike Kelly, Mayor